

STATE OF SOUTH CAROLINA

(Caption of Case)

Progress Energy Carolinas, Inc.'s Application For  
the Establishment of Procedures to Encourage  
Investment in Energy Efficient Technologies; Energy  
Conservation Programs And Incentives ...

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 251 - E

(Please type or print)

Submitted by: Timothy J. Monahan

SC Bar Number: 065619

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Greenville, SC 29601

Other:

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☒ Other: Motion for Admission Pro Hac Vice

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2008-251-E**

In the Matter of

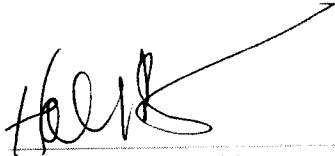
Progress Energy Carolinas, Inc.'s Application	)	
For the Establishment of Procedures to	)	<b>MOTION FOR ADMISSION</b>
Encourage Investment in Energy Efficient	)	<b><i>PRO HAC VICE</i></b>
Technologies; Energy Conservation Programs;	)	
And Incentives and Cost Recovery for Such	)	
Programs	)	

Wal-Mart Stores East, LP ("Wal-Mart"), hereby moves the Public Service Commission of South Carolina ("Commission") to permit Holly Rachel Smith to practice *pro hac vice* before the Commission in the above-captioned mater.

Pursuant to SCACR 404, Ms. Smith, together with counsel of record, have filed a *Verified Application for Admission Pro Hac Vice* with the South Carolina Supreme Court. Attached hereto are stamped copies of the Verified Application, as filed with the Supreme Court.

WHEREFORE, as provisions set forth in the SCACR 404 have been satisfied, Wal-Mart requests this motion be granted.

Dated this 7th day of August, 2008.



Holly Rachel Smith  
Russell W. Ray, PLLC  
6212-A Old Franconia Road  
Alexandria, VA 22310  
Telephone: (202) 302-3172  
Facsimile: (703) 313-8004  
E-Mail: holly@raysmithlaw.com

Respectfully submitted,



Timothy J. Monahan, SC Bar No. 65659  
Monahan & Moses, LLC  
13-B W. Washington St.  
Greenville, SC 29601  
Telephone: (864) 241-4604  
Facsimile: (864) 241-4606

*Attorneys for WAL-MART STORES EAST, LP*

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-251-E

**RECEIVED**

AUG 04 2008

In the Matter of

S.C. SUPREME COURT

Progress Energy Carolinas, Inc.'s Application     )  
For the Establishment of Procedures to             )  
Encourage Investment in Energy Efficient         )  
Technologies; Energy Conservation Programs;     )  
And Incentives and Cost Recovery for Such         )  
Programs   )

**VERIFIED APPLICATION FOR  
ADMISSION *PRO HAC VICE*  
OF HOLLY RACHEL SMITH**

Comes now Holly Rachel Smith, Applicant herein, respectfully represents the following:

1. Applicant's residential address and phone are:

6373 John S. Mosby Highway  
Middleburg, VA 20118  
In Loudoun County, Virginia  
(540) 687-6450

2. Applicant is an attorney and a member of the law firm of:

Russell W. Ray, PLLC  
6212-A Old Franconia Road  
Alexandria, VA 22310

3. Applicant has been retained as a member of the above named law firm by  
Wal-Mart Stores East, LP ("Wal-Mart") to provide legal representation in connection with the  
above matter now pending before the above named court of the State of South Carolina.

4. Since December of 1999 and January of 2008 respectively, Applicant has been,  
and presently is a member in good standing of the bar of the highest courts of the District of

Columbia and Virginia, where applicant regularly practices law. Attached are certificates of good standing.

5. Applicant has been admitted to practice before the following courts:

Court:

Date Admitted:

Supreme Court of the Commonwealth of Pennsylvania

2006

Applicant is presently a member in good standing to the bars of the court listed above with no exceptions.

6. Applicant is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, with no exceptions.

Applicant affirms the above statement to be true and correct.

7. Applicant never has had an application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, with no exception.

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, with no exception.

9. Local counsel of record associated with Applicant in this case is

Timothy J. Monahan  
Monahan & Moses, LLC  
13-B W. Washington St.  
Greenville, SC 29601  
Telephone: (864) 241-4604  
Facsimile: (864) 241-4606


10. Applicant has not previously filed an application to appear *pro hac vice* in South Carolina.

11. Applicant agrees to comply with the applicable statutes, laws, and rules of the State of South Carolina and will familiarize herself with and comply with the South Carolina

Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice before the Public Service Commission in this case only.

Dated this 1<sup>st</sup> day of August, 2008.

  
Holly Rachel Smith, Esq.

RUSSELL W. RAY, PLLC  
6212A Old Franconia Road  
Alexandria, Virginia 22310  
(202) 302-3172 (direct)  
(703) 313-9401 (office)  
(703) 313-8004 (fax)  
holly@raysmithlaw.com  
*Attorneys for Wal-Mart Stores East, LP*


## VERIFICATION

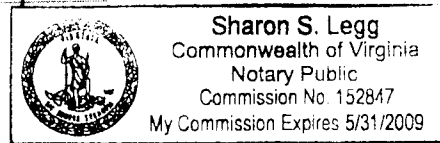
COMMONWEALTH OF VIRGINIA )

I, Holly Rachel Smith, do hereby swear or affirm under the penalty of perjury that I am the Applicant in the above-captioned matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief and that as to those matters I believe them to be true.

  
APPLICANT/AFFIANT

Subscribed and sworn before me this 1 day of Aug, 2008

  
Notary Public



## LOCAL COUNSEL CONSENT

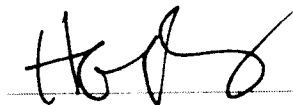
I hereby consent, as local counsel of record, to the association of Applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina bar.

DATED this 1st day of August, 2008

  
LOCAL COUNSEL OF RECORD

## CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by a payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 1st day of August, 2008.



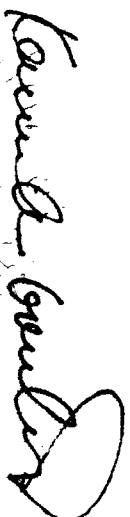


## VIRGINIA STATE BAR

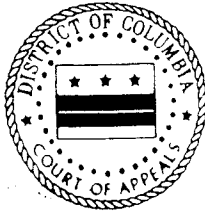
### CERTIFICATE OF GOOD STANDING

THIS IS TO CERTIFY THAT HOLLY RACHEL SMITH IS AN ACTIVE MEMBER OF THE VIRGINIA STATE BAR IN  
GOOD STANDING. **MS. SMITH** WAS LICENSED TO PRACTICE LAW IN VIRGINIA ON JANUARY 10, 2008, AFTER  
ADMISSION ON MOTION THROUGH THE SUPREME COURT OF VIRGINIA.

*Issued July 28, 2008*

  
KAREN A. GOULD  
EXECUTIVE DIRECTOR AND  
CHIEF OPERATING OFFICER





**District of Columbia Court of Appeals**

Committee on Admissions

500 Indiana Avenue, N.W. — Room 4200

Washington, D. C. 20001

202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

HOLLY R. SMITH

was on the 10<sup>TH</sup> day of DECEMBER, 1999

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on July 24, 2008.

GARLAND PINKSTON, JR., CLERK

By: \_\_\_\_\_

*M. Charles*

Deputy Clerk

File Copy



Supreme Court of Pennsylvania

July 30, 2008

**CERTIFICATE OF GOOD STANDING**

*Holly Rachel Smith, Esq.*

COPY

DATE OF ADMISSION

*March 17, 2006*

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.

Witness my hand and official seal

Dated July 30, 2008

COPY

Patricia A. Johnson  
Chief Clerk

**CERTIFICATE OF SERVICE**

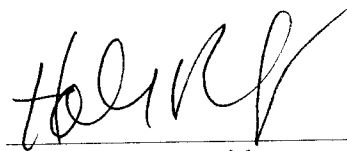
I hereby certify that a true copy of the Motion for Admission *Pro Hac* Vice of Holly Rachel Smith was served by regular U.S. mail, postage prepaid, on this 7th day of August, 2008 on the following:

Len S. Anthony  
Progress Energy Carolinas, Inc.  
Post Office Box 1551  
Raleigh, NC 27602

Shealy Boland Reibold  
Office of Regulatory Staff  
1441 Main Street, Suite 300  
Columbia, SC 29201

Robert R. Smith, II  
Moore & Van Allen, PLLC  
100 North Tryon St., Suite 4700  
Charlotte, NC 28202

Thomas S. Mullikin  
Moore & Van Allen, PLLC  
100 North Tryon Street, Ste. 4700  
Charlotte, NC 28202

A handwritten signature in black ink, appearing to read 'Holly Rachel Smith', is written over a horizontal line.

Holly Rachel Smith